

1 Magistrate Judge J. Richard Creatura

2

3

4

5

6

7

8

9

IN THE UNITED STATES DISTRICT COURT

10 WESTERN DISTRICT OF WASHINGTON AT TACOMA

11 WELLS FARGO BANK, N.A., successor-in-) Case No. 3:10-cv-05348-JRC
12 interest to WACHOVIA SBA LENDING, INC.,)
13 doing business as Wachovia Small Business)
14 Capital,)
15 Plaintiff,)
16 v.)
17 DONALD C. CHILL, individually and on behalf)
18 of the marital community,)
19 Defendant.)
20

21 ORDER GRANTING PLAINTIFF'S
22 MOTION TO DISMISS
23

24

25

26 ORDER GRANTING PLAINTIFF'S MOTION TO
DISMISS - Page 1

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130

1 This matter comes before the court on Plaintiff Wells Fargo Bank N.A.'s
2 ("Plaintiff") Motion to Dismiss. The court considered:

- 3 1. Plaintiff's Motion to Dismiss (ECF No. 29); and
4 2. The Declaration of Jason W. Alexander (ECF No. 30).

5 Based on the foregoing, the Court ORDERS that Plaintiff's motion to dismiss is
6 GRANTED and Plaintiff's causes of action for breach of contract, negligent
7 misrepresentation, and the Consumer Protection Act are hereby dismissed with
8 prejudice.

9

10 Dated this 15th day of October, 2012



11
12 J. Richard Creatura
13 United States Magistrate Judge

14 Presented by:
15 SUSSMAN SHANK LLP

16 By /s/ Jason W. Alexander
17 Jason W. Alexander, WSBA 26865
18 Robert L. Carlton, WSBA 33391
19 Laurie R. Hager, WSBA 38643
20 (503) 227-1111
21 Attorneys for Plaintiff

22

23

24

25

26

ORDER GRANTING PLAINTIFF'S MOTION TO
DISMISS - Page 2

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130